

REMARKS

Claims 1-16 are pending in the present application. Claims 1-16 were rejected under 35 U.S.C. §103(a). Applicant has amended claims 1, 5, 7-8, and 10 and canceled claims 6, 9, and 12-16. No new matter has been introduced.

Claims 1-7, 12 and 14 were rejected under 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 6,816,226 (Bouten) in view of Korean Publication 10-1994-0011996 (Won).

Claims 8-11, 13, and 15-16 were rejected under 35 U.S.C. §103(a) as being obvious over Bouten in view of Won and further in view of U.S. Patent Application Publication No. 2003/0147038 (Lee, et al.).

Claims 1, 5, and 8 have been amended to include the limitation that the contact area of the spacers contacting the substrate increases as the location of the spacers become closer to a center of the display area. This is possible only when the column-type spacers are used. In contrast, Won's drawing figure discloses a liquid crystal display having ball-type spacers. In the case that ball-type spacers are used, the contact area of spacers cannot be controlled depending on the position.

The Examiner cited Bouten as disclosing a display device that can be used with a liquid crystal display that includes at least one substrate with a display area and a sealant. The Examiner concedes that Bouten does not disclose *a plurality of spacers having a column type and formed between the substrates and contacting the substrates with different contact areas to support the substrates, wherein contact area of the spacers contacting the substrate increases as the spacers are located closer to a center of the display area*, as essentially recited in amended claims 1 and 5, but then cites Won as disclosing this limitation.

Applicant notes that the English translation of Won's abstract appears to be a literal translation from the original language, and consists of two unintelligible run-on

sentences. Applicant also notes that the English translation of the claims on page 2 of the Won document are cut off on the right hand side. In the absence of an intelligible description to accompany the drawing figures, Applicant urges that one cannot fairly conclude that Won's drawings disclose *a plurality of spacers having a column type . . . wherein [a] contact area of the spacers contacting the substrate increases as the spacers are located closer to a center of the display area*, as alleged by the Examiner, as one cannot make any arguments based on measurements from the drawing figures. (See MPEP 2125.)

Thus, Applicant urges that since the combination of Bouten and Won fails to disclose or suggest all limitations of claims 1 and 5, these claims are not obvious over Bouten and Won. Reconsideration and withdrawal of these section 103 rejections are respectfully requested.

Claims 2-4 and 6-7 depend from claims 1 and 5, respectively, and are thus patentable for at least the same reasons as claims 1 and 5. Reconsideration and withdrawal of this rejection are respectfully requested.

Regarding amended claim 8, the Examiner acknowledged that Bouten and Won do not disclose *combining the substrates under a vacuum atmosphere*, but cites Lee as disclosing this limitation. However, at the very least, for the reasons presented above in connection with independent claims 1 and 5, Bouten and Won do not disclose or suggest *forming a plurality of spacers on one of two substrates . . . using photolithography, . . . wherein [a] contact area of the spacers contacting the substrate increases as the spacers are located closer to a center of the display area*, as recited in amended claim 8, and Lee does not rectify this deficiency. Since the combination of Bouten, Won, and Lee fails to disclose or suggest all claimed limitations of claim 8, a *prima facie* case of obviousness of claim 8 over Bouten, Won, and Lee cannot be maintained. Reconsideration and withdrawal of this section 103 rejection are respectfully requested.

Claims 9-11 depend from claim 8, and are thus patentable for at least the same reasons as claim 8. Claims 12-16 have been canceled, thus Applicant urges that their

rejections are moot. Reconsideration and withdrawal of these rejections are respectfully requested.

CONCLUSION

Applicant urges that amended claims 1-5, 7-8, and 10-11 are in condition for allowance for at least the reasons stated. Early and favorable action on this case is respectfully requested.

Respectfully submitted,

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